# FEE POLICY FOR FEE FOR SERVICE ("FFS") GUARDIANS

1. FFS Guardians shall file a description of their fee rates for the next calendar year with the Court of Chancery no later than December 10th of each year.

2. FFS Guardians shall submit fee requests specifying requests by the service categories detailed in the FFS Guardians Fee Schedule. Additional detail as to services provided should be included, as appropriate.

3. Reasonable pre-appointment fees can be requested as long as those fees are related to direct services the FFS Guardian provided in regards to the guardianship (e.g. signing the consent to serve as guardian, reviewing the guardianship petition).

4. When a petition for fees is filed, the Magistrate may reduce part of the fees and may include in the order language to allow the FFS Guardian (or attorney, if the petition was filed by an attorney) to file a motion or letter of clarification to the extent they disagree with the reduction.

    a. The motion or letter of clarification is based on Court of Chancery Rule 60(b)(6) and is due within five days of the order for fees.

    b. The order for fees will be a final order, but if a motion or letter of clarification is filed, the time period for filing exceptions will be stayed pending resolution of that request.

5. FFS Guardians must file any fee request at least once a year. If there are insufficient funds to pay the fee, a provision will be added to the order that the fee may be taken once funds become available.

6. FFS Guardians are not required or expected to perform manual labor regarding the care of the person with a disability (e.g., administration of medication or other caregiving services) or treatment of the person with a disability's assets (e.g., moving furniture or cleaning/clearing properties). FFS Guardians are required to contract for these services at a fair rate and provide proof of such with their accountings. If FFS Guardians wish to employ their own employees or family members to provide these services, the Court imposes two additional requirements to ward against any appearance of impropriety:

a. The FFS Guardian must secure one arms-length quote to demonstrate that the rate charged by their employee/family member is fair and reasonable and

b. The FFS Guardian may not double-bill for the activities by paying them both as contracted labor expenses and guardianship time on their fee invoice.

7. Fee requests shall specify the service provided or expenditure requested according to the service categories. Beginning on January 1, 2027, FFS Guardians may bill by the minute or may bill up to the 6-minute increment. FFS Guardians may not bill in increments larger than 6-minute increments. Additional details should be provided, as appropriate.

| Service Categories | Service Description |
|---|---|
| **Professional Guardianship Time** | Communications (other than care services)<br>*(specify whether phone call, email, text, meeting or visit)*:<br>1. Consultation with client<br>2. Consultation with client's family<br>3. Other home/office/field visit (*specify who and purpose of meeting/communication*)<br>Care-related Services:<br>4. Consultation with home caregivers, hospital and/or other care facility<br>5. Participation in client's care conferences<br>6. Completion of form/application and other requirements for care facility, hospice, caregiver services, etc.<br>Court-related Services:<br>7. Preparation and submission of court documents (e.g., consent; bond; proof of compliance; Inventory; Accounting; annual update and medical statement; petitions, including to expend, increase monthly allotment, appoint appraiser to sell real estate, sell, and approve sale of, a vehicle or real estate; and other court notifications related to the client)<br>8. Preparation for and attendance at court hearings<br>Financial Services:<br>9. Review of investment account statements and of non-routine invoices/bills & determination of action/status<br>10. Opening/closing/monitoring bank and other financial accounts<br>11. Tax preparation<br>12. Actions related to Social Security matters<br>13. Actions related to Medicaid and Medicare matters<br>14. Actions related to life insurance and other insurance matters<br>General:<br>15. Correspondence/document/messages review<br>16. File review<br>Other:<br>17. Securing, maintaining, and sale of client's property, including real estate (e.g., listing real estate with agent, fielding offers to sell, arranging for property to be emptied of contents if sold), vehicles and other personal property<br>18. Perform any other services in the best interest of the client *(specify)* |

| Service Categories | Service Description |
|---|---|
| **Clerical/Bill Paying** | 1. Review of routine bills<br>2. Bill paying<br>3. Review of routine standardized documents (i.e., standardized investment information, etc.)<br>4. Banking prep (in office), including preparing deposits, ordering new checks<br>5. Routine banking (at bank)<br>6. Routine trip to post office (to send mail, etc.)<br>7. Account Reconciliation |
| **Other** | 1. Mileage or other charges for travel<br>*2.* Other expenses *(specify)* |